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KONG-22

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Ling Y. Cheung
Application No. : 10/717,143 Confirmation No. : 7253
Filed : November 18, 2003
For : METHODS AND COMPOSITIONS FOR TREATING
GASTRITIS
Examiner : Randall O. Winston
Group Art Unit : 1654

New York, New York
March 22, 2005

Mail Stop Amendment
Hon. Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(c), applicant makes of record the documents listed in the accompanying Form PTO/SB/08A. Copies of the pending unpublished U.S. applications, foreign patent documents, and non-patent documents are enclosed.

This Statement is submitted after the mailing date of the first Office Action on the merits, but before the mailing date of any of a final action under § 1.113, a notice of allowance under § 1.311, or an action that otherwise closes prosecution in the application, and, pursuant to 37 C.F.R. § 1.97(c), it is accompanied by

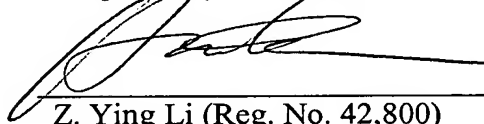
☐ a statement pursuant to 37 C.F.R. § 1.97(e);

☒ the fee (\$180.00) set forth in 37 C.F.R. § 1.17(p).

Applicant requests that the cited documents be (1) fully considered by the Examiner during the course of examination of this application, and (2) printed on any patent issuing from this application. Applicant further requests that a copy of Form PTO/SB/08A, as considered and initialed by the Examiner, be returned to the undersigned with the next communication.

The Director is hereby authorized to charge payment of any additional fees required in connection with this Statement, or to credit any overpayment of same, to Deposit Account No. 06-1075. A duplicate copy of this letter is transmitted herewith.

Respectfully submitted,



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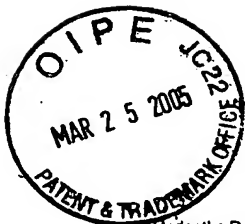
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1. Supplemental Information Disclosure Statement (in duplicate);
2. Form PTO/SB/08A (in duplicate);
3. Copies of the cited pending unpublished U.S. applications, foreign patent documents, and non-patent documents;
4. Check in the amount of \$180.00 (fee under § 1.17(p)); and
5. Postcard.



PTO/SB/08a/b (08-03)
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Substitute for form 1449A/B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)		Complete if Known			
		Application Number	10/717,143		
		Filing Date	November 18, 2003		
		First Named Inventor	Ling Y. Cheung		
		Art Unit	1654		
		Examiner Name	Randall O. Winston		
Sheet	1	of	4	Attorney Docket Number	KONG-22

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
		2,107,830	02-08-1938	Liebesny et al.	
		3,150,979	09-29-1964	Ensley	
		3,711,392	01-16-1973	Metzger	
		3,870,599	03-11-1975	Azarowicz	
		3,923,279	12-02-1975	Gresley et al.	
		3,939,279	02-17-1976	Kawano et al.	
		3,968,254	07-06-1976	Rhodes et al.	
		3,997,675	12-14-1976	Eichelburg	
		4,041,182	08-09-1977	Erickson et al.	
		4,118,512	10-03-1978	Eichelburg	
		4,348,483	09-07-1982	Skogerson	
		5,047,250	09-10-1991	Prieels et al.	
		5,082,662	01-21-1992	Laurent et al.	
		5,082,936	01-21-1992	Jamas et al.	
		5,158,788	10-27-1992	Lavens et al.	
		5,504,079	04-02-1996	Jamas et al.	
		5,578,486	11-26-1996	Zhang	
		5,665,352	09-09-1997	Blehaut et al.	
		5,866,116	02-02-1999	Yaegaki	
		5,952,020	09-14-1999	Lizak	
		5,981,219	11-09-1999	Flugge et al.	
		6,045,834	04-04-2000	Howes et al.	
		6,143,731	11-07-2000	Jamas, et al.	
		6,159,510	12-12-2000	Lizak	
		6,197,295	03-06-2001	Hsia et al.	

Examiner Signature	Date Considered
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This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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				Art Unit	1654
				Examiner Name	Randall O. Winston
Sheet	2	of	4	Attorney Docket Number	KONG-22

U.S. PATENT DOCUMENTS					
		6,214,337	04-10-2001	Hayen et al.	
		6,416,982	07-09-2002	Zhang	
		6,416,983	07-09-2002	Cheung	
		20020099026	07-25-2002	Goodman et al.	
		6,596,272	07-22-2003	Cheung	
		6,596,273	07-22-2003	Cheung	
		20030230126	12-18-2003	Cheung	
		6,699,496	03-02-2004	Kojima et al.	
		6,761,886	07-13-2004	Cheung	
		20040168492	09-02-2004	Cheung	
		6,800,466	10-05-2004	Cheung	
		6,828,131	12-07-2004	Zhang	
		6,828,132	12-07-2004	Cheung	
		20030232039	12-18-2003	Cheung	
		20030232059	12-18-2003	Cheung	
		20030235565	12-25-2003	Cheung	
		20030235569	12-25-2003	Cheung	
		20040001812	01-01-2004	Cheung	
		20040253268	12-16-2004	Cheung	
		20040265990	12-30-2004	Cheung	
		DIV of 10/192,805 (Filed 11-29-04; no Appln No. yet)	Not yet published	Zhang	
		DIV of 10/192,807 (Filed 11-29-04; no Appln No. yet)	Not yet published	Cheung	

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		Examiner Name	Randall O. Winston		
Sheet	3	of	4	Attorney Docket Number	KONG-22

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)				
		GB1397873	06-18-1975	Evans		
		ES475500 (in Spanish with English Abstract)	04-01-1979	Gonzalez		
		SU1722364 (English Abstract)	03-30-1992	Talantov et al.		
		SU1750570 (English Abstract)	07-30-1992	Levon et al.		
		EP553377	08-04-1993	Bridges		
		CN1207873 (in Chinese with English Abstract)	02-17-1999	Liu et al.		
		WO02070436	09-12-2002	Cheung		

NON PATENT LITERATURE DOCUMENTS				
Examiner Initials	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.		T ²
		Born et al., "The <i>Saccharomyces Boulardii</i> Therapy of HIV-Associated Diarrhea", <u>Deutsche Medizinische Wochenschrift</u> , 118(20):765 (1993). (in German with English translation)		
		Dutta et al., <u>J. of Microwave Power</u> , vol. 14, No. 3, pages 275-280 (1979).		
		Goodman, et al., "Magnetic Field Stress Induces Expression of <i>HSP70</i> ", <u>Cell Stress & Chaperones</u> 3(2):79-88 (1998).		
		Grundler W., "Resonant Microwave Effect on Locally Fixed Yeast Microcolonies" <u>Z. Naturforsch</u> 44c:863-866 (1989).		
		Kim et al., "Anti-Stress and Anti-Fatigue Effects of Fermented Rice Bran", <u>Biosci Biotechnol Biochem.</u> , 65(10):2294-6 (2001).		
		Lin H. et al., "A Magnetic Field-Responsive Domain in the Human HSP70 Promoter", <u>J Cell Biochem</u> , 75:170-176 (1999).		

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Sheet	4	of	4	Attorney Docket Number	KONG-22

NON PATENT LITERATURE DOCUMENTS			
		Machado Caetano et al., "Immunopharmacological Effects of <i>Saccharomyces Boulardii</i> in Healthy Human Volunteers", <u>Int'l Immunology and Immunopharmacology</u> , 8(3):245-259 (1986).	
		Ortuno et al., "Oral Administration of Yeast, <i>Saccharomyces Cerevisiae</i> , Enhances the Cellular Innate Immune response of Gilthead Seabream (<i>Sparus aurata</i> L.)", <u>Vet Immunol Immunopathol</u> , 85(1-2):41-50 (2002).	
		Peret Filho et al., "Dose Effect of Oral <i>Saccharomyces Boulardii</i> Treatments on Morbidity and Mortality in Immunosuppressed Mice", <u>J Med Microbiol.</u> , 47(2):111-6 (1998).	
		Saha et al., "Microbial Manipulation of Rumen Fermentation Using <i>Saccharomyces Cerevisiae</i> as Probiotics", <u>Current Science (Bangalore)</u> , 77(5):696-697 (1999).	
		WHO World Health Organization; WebPages http://www.who.int/peh-emf/about/WhatisEMF/en/ and http://www.who.int/peh-emf/about/WhatisEMF/en/index3.html retrieved 6/10/04.	

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